

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MARIANA BOSNJAK,

Plaintiff,

v.

SUNSHINE COMMUNITY HEALTH
CENTER, Inc.,

Defendant.

Case No. 3:23-cv-00009-SLG

**ORDER RE DEFICIENT FILING:
INCOMPLETE APPLICATION TO WAIVE PAYMENT OF THE FILING FEE**

On January 17, 2023, Mariana Bosnjak, a self-represented litigant, filed a Complaint for Employment Discrimination pursuant to Title VII of the Civil Rights Act of 1964, as amended, and an Application to Proceed in District Court Without Prepaying Fees or Costs (“IFP Application”).¹

In order to properly commence a civil action, a litigant must either pay the filing fee of \$402.00 or file a properly completed application to waive prepayment of the filing fee.² A court may not simply waive prepayment of costs and fees on request; it must review an application and financial affidavit in order to make an appropriate factual finding.³

¹ Dockets 1–2.

² Local Civil Rule 3.1(c).

³ *Temple v. Ellerthorpe*, 586 F. Supp. 848, 850 (D.R.I. 1984) (citation omitted) (In considering an

In this case, Ms. Bosnjak's IFP Application is incomplete. She indicates she has had no income from any source for the past year.⁴ She did not answer any of the questions regarding her assets, debts, expenses, or dependents.⁵ Without such information, the Court cannot determine whether it may properly waive prepayment of costs and fees for Ms. Bosnjak. In other words, Ms. Bosnjak "must allege poverty 'with some particularity, definiteness and certainty.'"⁶ Accordingly, this civil action is deficient.

Ms. Bosnjak must file an amended IFP Application or pay the filing fee of \$402.00 within 30 days of this Order. The IFP Application must be completed, signed, and provide the Court with details regarding her income, assets, debts, and expenses. If Ms. Bosnjak does not pay the filing fee or file an amended IFP Application as outlined in this Order, this case will be dismissed without further notice to Ms. Bosnjak.

The Clerk of Court shall include form AO240 Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), with the words "AMENDED" at the top, along with a copy of this Order.

IFP application, "the same even-handed care must be employed to assure that federal funds are no squandered to underwrite, at public expense, either frivolous claims or the remonstrances of a suitor who is financially able, in whole or in material part, to pull his own oar.").

⁴ Income includes the Alaska Permanent Fund Dividend, which is received by most Alaskans.

⁵ Docket 2.

⁶ *Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015) (quoting *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981)).

IT IS SO ORDERED.

DATED this 26th day of April, 2023 at Anchorage, Alaska.

/s/ *Sharon L. Gleason*
UNITED STATES DISTRICT JUDGE